

## Hakowski, Denise

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**From:** Coyne, Kevin R <Kevin.R.Coyne@wv.gov>  
**Sent:** Friday, June 13, 2014 5:17 PM  
**To:** Hakowski, Denise  
**Subject:** RE: Extension of Public Comment Period for Selenium Aquatic Life Criterion External Peer Review Draft & MORE  
**Attachments:** WVDEP\_WQS\_WERSummary\_CSBCopper\_2014Revised.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Just gotta love it - and sorry I forgot to forward this on to you.

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**From:** Hakowski, Denise [mailto:Hakowski.Denise@epa.gov]  
**Sent:** Friday, June 13, 2014 4:23 PM  
**To:** Alex Barron; David Whitehurst; David Wolanski; Shah Nawaz; adam.rettig@dc.gov; John.Backus@maryland.gov; Tim Fox -MDE-; Barron, Thomas; Moore, Bonita; Coyne, Kevin R; John Yagecic; Jason Heath  
**Cc:** MacKnight, Evelyn; Atkinson, Cheryl; Barath, Mark; Fleisig, Erica  
**Subject:** Extension of Public Comment Period for Selenium Aquatic Life Criterion External Peer Review Draft & MORE

So, just 2 days ago, we were told that HQ had received requests to extend the public comment period, but had no plans to do so. Well, it looks like they have changed their minds! If you were frantically trying to submit comments, looks like you have some more time.

And, hey, don't forget that if you want to submit comment on the revised human health criteria, those are due on July 14, 2014.

And, one additional opportunity to comment. In case you missed it, in April EPA and the Army Corps of Engineers published in the Federal Register a proposed rule defining the scope of waters protected under the Clean Water Act. This is a result of the SWANCC and Rapanos Supreme Court decisions, from 2001 and 2006, which made determining which streams and wetlands were protected under the CWA a bit complex. You can find additional information here:

<http://www2.epa.gov/uswaters>

I believe the comment period on this has been extended as well, until October, but note there are some agricultural exemptions that require comment early in July.

Let us know if you need anything else.

Denise

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**From:** Gallagher, Kathryn  
**Sent:** Friday, June 13, 2014 1:09 PM  
**To:** Abele, Ralph; Aguirre, Janita; Anderson, Danielle; Angelo, Robert; Anson, Robie; Atkinson, Cheryl; Barash, Shari; Barath, Mark; Basile, Alfred; Bauer, Candice; Beaman, Joe; Beckwith, William; Behl, Betsy; Benante, Joanne; Beringer, Mike; Bethel, Heidi; Bone, Tracy; Bridge, Jennie; Staples, Bridget; Buffo, Corey; Harper, Cecelia; Chemerys, Ruth; Christensen, Christina; Day, Christopher; Chung, Angela; [clair.meehan@tetrattech.com](mailto:clair.meehan@tetrattech.com); Cole, Luke; Collins, Kathleen; Conde, Rosaura; Cornelious, Anna; Crocker, Philip; Curtin, James; Decker, Ed; DeLashmit, John; Donnelly, Peggy; Doyle, Elizabeth; Evans, Diane; Fabiano, Claudia; Fish, Tonya; Flaherty, Colleen; Fleck, Diane; Fleisig, Erica; Fleming, Terrence; Fontenelle, Samantha; Ford, Peter; Frey, Sharon; Galer, Rose; Gallagher, Kathryn; Gardner, Thomas; Garren, Mary;

Giannelli, Gretchen; Godfrey, Annie; Goodin, John; Goodwin, Bryan; Gordon, Lisa Perras; Goss, Heather; Graves, Karin; Guenzel, Lareina; Hair, David; Hakowski, Denise; Hamilton, Karen; Hammer, Edward; Hansel, Joel; Harrigan, Lee; Hashimoto, Janet; Hayden, Keith; Hilbrich, Sara; Hisel-McCoy, Sara; Holst, Linda; Hubner, Matt; Huff, Lisa; Jackson, Peter W.; Jackson, Wayne; Robichaud, Jeffery; John, Forrest; Anderson, Kate; Keating, Jim; Kibler, Virginia; [kmcallister@horsleywitten.com](mailto:kmcallister@horsleywitten.com); Lai, Kuo-Liang; Labiosa, Rochelle; Laidlaw, Tina; Larimer, Lisa; Lavaty, Ann; Laverty, Tom; Leamond, Beth; LeClair, Jacqueline; Leutner, Fred; Locicero, Felix; Macchio, Lisa; MacKnight, Evelyn; Maurano, Stephen; Mayo, Kathleen; Mayo, Lydia; Mazur, Barbara; McCoy, Melinda; Mitchell, Matthew; [mnelson@horsleywitten.com](mailto:mnelson@horsleywitten.com); Monschein, Eric; Moon, Dave; Nalven, Heidi; Nelson, Russell; Nogi, Jill; Pabst, Douglas; Parrish, George; Petter, Lauren; Pfeifer, David; Piotrowski, Joe; Poleck, Thomas; Reiley, Mary; Reyna, John; Rider, Trish; Robiou, Grace; Roser, Sara; Russo, Gary; Santell, Stephanie; Saucerman, Suesan; Schroer, Lee; Sengco, Mario; Shields, Amy; Spence, Sandra; Stapleton, Gregory; Stephan, Danielle; Szelag, Matthew; Tervelt, Larinda; Thomas, Dana; Thompson, Brian; Tritt, Maja; Tschampa, Andrew; VanGilder, Noah; Vincent, Angela; Vican, Manjali; Wagener, Christine; Washington, Evelyn; Watson, Jane; Weitzler, Ellen; Welker, Gary; Wellman, Marjorie; Wilcut, Lars; Williams-Bower, Vera; Wilson, Stephanie; Wirick, Holiday; Wojtenko, Izabela; Woods, Philip; Zimmerman, Eve; Zobrist, Marcus

**Subject:** Extension of Public Comment Period for Selenium Aquatic Life Criterion External Peer Review Draft

Good afternoon,

We wanted to notify you that EPA is extending the public comment period on a draft updated national recommended aquatic life criterion for the pollutant selenium. **The public will be able to provide scientific views on the draft document for an additional 30 days following publication of a forthcoming Federal Register notice.** The draft document is an update to EPA's 1999 chronic aquatic life criterion for selenium and reflects the latest scientific information, which indicates that selenium toxicity to aquatic life is primarily driven by organisms consuming selenium-contaminated food rather than by direct exposure to selenium dissolved in water. The external peer review draft criterion has four parts, including two fish tissue-based and two water column-based elements. EPA recommends that states and tribes adopt all four elements of the selenium criterion into water quality standards.

Following closure of the extended public comment period, the draft document will undergo an independent, contractor-led, external expert peer review. After considering public and expert peer review feedback, EPA will revise and publish the draft criterion document and subsequently again request public comment. Once finalized, EPA's water quality criterion for selenium will provide recommendations to states and tribes authorized to establish water quality standards under the Clean Water Act.

Please let us know if you have questions.

Kathryn Gallagher, Ph.D.  
Chief, Ecological Risk Assessment Branch  
Health and Ecological Criteria Division  
Office of Science and Technology  
Office of Water  
United States Environmental Protection Agency

phone: 202-564-1398  
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**From:** Giannelli, Gretchen

**Sent:** Wednesday, May 14, 2014 8:54:54 AM

**To:** Abele, Ralph; Aguirre, Janita; Anderson, Danielle; Angelo, Robert; Anson, Robie; Atkinson, Cheryl; Barash, Shari; Barath, Mark; Basile, Alfred; Bauer, Candice; Beaman, Joe; Beckwith, William; Behl, Betsy; Benante, Joanne; Beringer, Mike; Bethel, Heidi; Bone, Tracy; Bridge, Jennie; Staples, Bridget; Buffo, Corey; Harper, Cecelia; Chemerys, Ruth;

Christensen, Christina; Day, Christopher; Chung, Angela; [clair.meehan@tetrattech.com](mailto:clair.meehan@tetrattech.com); Cole, Luke; Collins, Kathleen; Conde, Rosaura; Cornelious, Anna; Crocker, Philip; Curtin, James; Decker, Ed; DeLashmit, John; Donnelly, Peggy; Doyle, Elizabeth; Evans, Diane; Fabiano, Claudia; Fish, Tonya; Flaherty, Colleen; Fleck, Diane; Fleisig, Erica; Fleming, Terrence; Fontenelle, Samantha; Ford, Peter; Frey, Sharon; Galer, Rose; Gallagher, Kathryn; Gardner, Thomas; Garren, Mary; Giannelli, Gretchen; Godfrey, Annie; Goodin, John; Goodwin, Bryan; Gordon, Lisa Perras; Goss, Heather; Graves, Karin; Guenzel, Lareina; Hair, David; Hakowski, Denise; Hamilton, Karen; Hammer, Edward; Hansel, Joel; Harrigan, Lee; Hashimoto, Janet; Hayden, Keith; Hilbrich, Sara; Hisel-McCoy, Sara; Holst, Linda; Hubner, Matt; Huff, Lisa; Jackson, Peter W.; Jackson, Wayne; Robichaud, Jeffery; John, Forrest; Anderson, Kate; Keating, Jim; Kibler, Virginia; [kmcallister@horsleywitten.com](mailto:kmcallister@horsleywitten.com); Lai, Kuo-Liang; Labiosa, Rochelle; Laidlaw, Tina; Larimer, Lisa; Lavaty, Ann; Laverty, Tom; Leamond, Beth; LeClair, Jacqueline; Leutner, Fred; Locicero, Felix; Macchio, Lisa; MacKnight, Evelyn; Maurano, Stephen; Mayo, Kathleen; Mayo, Lydia; Mazur, Barbara; McCoy, Melinda; Mitchell, Matthew; [mnelson@horsleywitten.com](mailto:mnelson@horsleywitten.com); Monschein, Eric; Moon, Dave; Nalven, Heidi; Nelson, Russell; Nogi, Jill; Pabst, Douglas; Parrish, George; Petter, Lauren; Pfeifer, David; Piotrowski, Joe; Poleck, Thomas; Reiley, Mary; Reyna, John; Rider, Trish; Robiou, Grace; Roser, Sara; Russo, Gary; Santell, Stephanie; Saucerman, Suesan; Schroer, Lee; Sengco, Mario; Shields, Amy; Spence, Sandra; Stapleton, Gregory; Stephan, Danielle; Szelag, Matthew; Tervelt, Larinda; Thomas, Dana; Thompson, Brian; Tritt, Maja; Tschampa, Andrew; VanGilder, Noah; Vincent, Angela; Vican, Manjali; Wagener, Christine; Washington, Evelyn; Watson, Jane; Weitzler, Ellen; Welker, Gary; Wellman, Marjorie; Wilcut, Lars; Williams-Bower, Vera; Wilson, Stephanie; Wirick, Holiday; Wojtenko, Izabela; Woods, Philip; Zimmerman, Eve; Zobrist, Marcus

**Subject:** draft updated national recommended aquatic life criterion for the pollutant selenium-request for public comment

Greetings,

EPA is requesting public comment on a draft updated national recommended aquatic life criterion for the pollutant selenium. The draft document is an update to EPA's 1999 chronic aquatic life criterion for selenium and reflects the latest scientific information, which indicates that selenium toxicity to aquatic life is primarily driven by organisms consuming selenium-contaminated food rather than by being directly exposed to selenium dissolved in water. The draft updated criterion has four parts, including two fish tissue-based and two water column-based elements. EPA recommends that states and tribes adopt all four elements of the selenium criterion into water quality standards.

EPA is now accepting written scientific views from the public on the document for 30 days. Following closure of the public comment period, the draft document will undergo an independent, contractor-led, external expert peer review. After considering public and expert peer review feedback, EPA will revise and publish the criterion document and request public comment for another 30 days. Once finalized, EPA's water quality criterion for selenium will provide recommendations to states and tribes authorized to establish water quality standards under the Clean Water Act.

More information: <http://water.epa.gov/scitech/swguidance/standards/criteria/aqlife/selenium/>

Please let us know if you have questions.

Elizabeth (Betsy) Behl, Director  
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Office of Science and Technology, Office of Water  
United States Environmental Protection Agency  
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